

Remarks

Applicants have carefully reviewed the Office Action of July 25, 2006, in which claims 1-38 were pending, claims 13-24 and 28-37 were withdrawn, claims 1-12 and 25-27 were rejected and the specifications and the drawings were objected to. With this response, claims 1 and 9 are amended and claims 7-8 and 25-27 are cancelled.

Claim Amendments

Claim 1 was amended to incorporate the elements of claim 8 and claim 9 was amended to depend from claim 1. No new matter was added.

Drawings

The drawings were objected to as failing to comply with 37 C.F.R. § 1.84(n). Corrected drawing sheets responsive to each objection raised are herewith submitted. Specifically, transparent windows 16 and 114 are now shown with the appropriate drafting symbol and labels 22 and 116 are shown with text comprising an identifying characteristic of the paint sample. No new matter has been added. Applicant therefore requests acceptance of the replacement drawings and withdrawal of the objection.

Specification

The title was objected to as not descriptive of the elected invention. Applicants have amended the title to recite “COLORANT PACKETS” and request acceptance of this amendment and withdrawal of the objection.

Claim Rejections—35 U.S.C. § 103

Claims 1-6, 11, 12, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox et al. (U.S. Patent No. 4,898,477) in view of Kuge (U.S. Appl. No. 2002/0141666). Claim 1 has been amended to incorporate the elements from claim 7 and claims 25-26 have been cancelled, rendering this rejection moot.

Claims 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox and Kuge as applied to claim 1 and further in view of Bane (U.S. Patent No. 5,366,087). As claim 1 has been amended to incorporate the elements of claim 8 therein, applicants will respond to this rejection as if it had been made against claim 1. Applicants respectfully traverse the rejection because the art does not disclose each and every element of the claimed invention.

Amended independent claim 1 recites “a removable label.” Bane, which pertains to a resealable pressure sensitive closure label, does not disclose a removable label. Bane appears to only disclose labels which have both a permanent adhesive and a repositionable adhesive. See, for example, column 1, lines 38-42. The label of Bane is fixed on the package with both the permanent and repositionable adhesives, which prevents tampering yet allows ready resealing. The permanent adhesive, by its nature, prevents the label from being removed. Only by tearing the label can a portion of the label be separated from the package. See column 3, lines 62-66.

In contrast, the label of claim 1 is removable. This means, among other things, that the label with its text indicating, for instance, the paint color can be removed from the container and taken to the paint store to buy more paint. One can thus be sure of getting the same paint color and type without having to deal with writing down the wrong

paint color or writing down incomplete information, and without having to deal with a messy, open paint container.

Because there is no motivation to combine the references, applicants submit that the invention of claim 1 is in condition for allowance. As claims 2-6 and 9-12 depend from claim 1 and contain additional elements, applicants submit that these claims are in condition for allowance as well.

Reexamination and reconsideration are respectfully requested. It is submitted that all pending claims are currently in condition for allowance. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at 612-677-9050.

Respectfully submitted,

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By their Attorney,

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